

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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| WARSAW ORTHOPEDIC, INC. and |) | C.A. No. 06-0490 (SRC/MAS) |
| MEDTRONIC SOFAMOR DANEK, INC., |) | |
| |) | |
| Plaintiffs, |) | <u>STIPULATION FOR DISMISSAL</u> |
| |) | |
| v. |) | |
| |) | |
| EBI, L.P. and BIOMET, INC., |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |

The parties stipulate and consent through their respective undersigned counsel, to respectfully request this Court dismiss this action without prejudice, including all claims and defenses, with each party to bear its own costs and attorney fees.

Dated: December 15, 2008

s/ Dennis F. Gleason
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SO ORDERED:



STANLEY R. CHESLER, U.S.D.J.